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09/898,479	07/02/2001	Allan B. Lamkin	70681	8448

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FITCH EVEN TABIN AND FLANNERY
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EXAMINER

VU, NGOC K

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/898,479	Applicant(s) LAMKIN ET AL.	
	Examiner Ngoc K. Vu	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-23 and 55-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-23 and 55-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/5/07 has been entered.

Response to Arguments

2. Applicant's arguments filed 7/20/06 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-8, 10-16 and 62-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "the client device" in lines 14-15. It is unclear whether "a client device" in lines 3 and 11 are the same. It is also unclear what "the client device" in lines 14-15 referred to in connection to the terms "a client device" that are previously defined. As best understood, the examiner considers that "a client device" in lines 3 and 11 are the same for the examining purposes only.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 10, 13, 14, 56, and 61-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (US 6,263,505 B1).

Regarding claim 1, Walker teaches a method for providing enhanced content for play across multiple play platforms, comprising the steps of: delivering media content to a client device (e.g., 50 – see col. 9, lines 24-26); determining whether the media content is enhanced media content (by receiving program identification information and synchronization information while viewing video program – col. 10, lines 33-39), identifying a first link (e.g., program identification information) to enhanced content when it is determined that the media content is enhanced media content (col. 7, lines 50-53; col. 10, lines 33-36); identifying a default link (e.g., a default URL of a web site or an URL entered by user on a web browser) when it is determined that the media content is not enhanced media content (it is noted that the viewer can specify the Internet address or URL associated with the web page to the web browser or a URL of the web site server can be displayed during the video program - col. 7, lines 33-43); providing access over a network (e.g., Internet) to one of the first link and the second link (see col. 7, lines 35-41 and 55-62); delivering HTML content (via web site server) over the network to the client device, the HTML content being accessible and usable by a plurality of client device platforms (e.g., television, computer) (col. 8, lines 40-41; col. 7, lines 53-62); activating a browser to

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access the HTML content, the browser being located on and compatible for use with the client device (col. 7, lines 33-35; col. 10, lines 39-42 and 52-56); activating firmware on the client device to access the media content (col. 5, lines 24-28; col. 8, lines 53-61); and incorporating the accessed HTML content with the accessed media content (col. 7, lines 55-62; col. 10, lines 52-62; col. 4, line 60 to col. 6, line 6).

Regarding claim 10, Walker teaches that the network is the Internet (see col. 7, lines 35-41).

Regarding claim 13, Walker teaches discloses synchronizing the supplemental information to the action and events occurring in the video program (see col. 7, lines 56-59), and the supplemental information is selectable by the viewer, for instance, the viewer may wish to select a particular character within a TV show and receive supplemental scenes and dialogue related to this character (see col. 8, lines 25-35).

Regarding claim 14, Walker discloses that the HTML content is in the form of an HTML page that stars a movie and checks for related Internet sites (see col. 10, lines 30-36; col. 7, lines 60-62).

Regarding claim 15, Walker discloses that the HTML content includes a page that links to a website (col. 7, lines 50-62).

Claim 56 recites the similar limitations of claim 1, therefore, claim 56 is rejected for the same reasons as addressed with respect to claim 1 above.

Regarding claim 61, Walker teaches that the computer readable medium is a DVD (col. 9, lines 38-41; col. 10, lines 10-26).

Regarding claim 62, Walker teaches determining whether a predefined enhanced content (supplemental content) is associated with the media content, wherein the predefined enhanced content operates as a container internet page during standard playback of the media

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content and enables event handlers (e.g., the synchronization information) to be loaded and activated to handle events during playback (see col. 5, lines 42-61; col. 6, lines 23-30 and 43-53).

Regarding claim 63, Walker discloses that the viewer can specifies the default link or a URL associated with the web page to the web browser to be displayed during the video program (col. 7, lines 33-43). From this view, the default link is not accessible from media content and not available from a medium storing the media content.

Regarding claim 64, Walker discloses supplying the program identification information from the program to a web site server accessible through the default link such that the web site server can identify the supplemental content that is associated with the identification information (see col. 7, lines 33-62).

Regarding claim 65, Walker discloses that the program identification information would be presented if the video program is recorded on a recorded medium and play backed by the user (col. 6, lines 50-53).

Regarding claim 66, Walker discloses that the supplemental content comprises additional information about characters, story lines and other aspects of the video program to provide navigate through the program (col. 4, lines 55-60).

7. Claims 17, 67, and 69 are rejected under 35 U.S.C. 102(e) as being anticipated by Ullman et al. (US 6,018,768 A).

Regarding claim 17, Ullman discloses a method for enhancing multimedia content, comprising the steps of: providing a recording medium (e.g., DVD); recording multimedia content onto the recording medium (video program is stored in DVD – col. 9, lines 30-35; col. 10, lines 4-10); retrieving HTML content from a network (Internet) (col. 7, line 45-53; col. 8, line 42 to col. 9, line 20 and col. 9, lines 50-57); integrating the HTML content with the multimedia

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content (e.g., synchronizing the retrieved web pages to the video content for displaying – see col. 7, line 45-53; col. 8, line 42 to col. 9, line 20 and col. 9, lines 50-57); accessing the integrated multimedia content and HTML content (col. 7, line 45-53; col. 8, line 42 to col. 9, line 20 and col. 9, lines 50-57), and playing the integrated multimedia content and HTML content having been accessed (e.g., synchronizing the retrieved web pages to the video content for display on a display screen - col. 7, line 45-53; col. 8, line 42 to col. 9, line 20 and col. 9, lines 50-57), wherein the HTML content is in the form of textual content that scrolls in synchronization with the multimedia content as the media content is accessed (As noted, the retrieved web content is synchronized with the video content for display on the screen. For example, while the viewer is watching the music video, biographical information on the band can be displayed adjacently to the video window or an upcoming concert schedule of the band can be displayed on the web page. As another example, a user could be watching a program relating to financial news, web pages corresponding to the financial performance information on high tech stocks can be simultaneously displayed with the video on the display screen. See col. 8, line 51 to col. 9, line 3).

Regarding claim 67, Ullman discloses that the retrieving HTML content (web content) from a network (Internet) and the integrating the HTML content with the multimedia content (video content) comprises activating the retrieving and the integrating of the HTML content without user interaction (It is noted that Ullman's system comprises software interprets the URLs from the video and directs the JAVA enabled browser to retrieve the particular relevant web pages and synchronized the retrieved web pages to the video content for display on the screen. See col. 7, lines 35-53).

Regarding claim 69, Ullman discloses that the multimedia content is DVD content accessed by DVD firmware on a client device (e.g., playback video program stored on DVD by a

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DVD player – col. 9, lines 30-35; col. 10, lines 4-10), wherein the method further comprises determining whether the DVD includes an initial HTML content (determining whether a particular URL has not been previously received, e.g., new URL from the video program – col. 7, line 63 to col. 8, line 2; col. 9, lines 30-35; col. 10, lines 4-10); and initially accessing a local default home page when the DVD does not contain the initial HTML content (an operational control panel provides a list of the URLs that have been received by the client device), where the local default home page is stored locally on the client device and not available through the DVD (the list is stored locally on the client device, e.g., PC, after the URLs are received by the computer – col. 7, line 63 to col. 8, line 2), and the local default home page is used to implement the retrieving of the HTML content from the network (the list gives the user the flexibility to go back and retrieve particularly informative or interesting web pages that have been displayed earlier in the program – col. 8, lines 34-37).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US 6,263,505 B1).

Regarding claim 11, Walker discloses synchronizing the supplemental information to the action and events occurring in the video program (see col. 7, lines 56-59), but Walker does not explicitly disclose the supplemental information overlaid onto the video program. Official Notice is taken that overlaying supplemental content onto video program is well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

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was made to modify the system of Walker by overlaying supplemental content onto video program in order to effectively present the supplemental content for viewing.

10. Claims 2-8, 16, 57-60 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US 6,263,505 B1) in view of Ozaki et al. (US 5,991,798 A).

Regarding claims 2-3 and 16, Walker's system comprises input device 62 such as CD-ROM drive or other devices which are capable of reading data from computer readable media (see col. 9, lines 38-41). Walker does not explicitly teach accessing content recorded onto a recording medium by calling one of a plurality of directories, and more than one of the plurality of directories include additional HTML content, accessing additional HTML content that comprises a plurality of HTML files for accommodating a plurality of platform of client devices. However, Ozaki shows a structure of a directory in an optical disk medium having data in a plurality of directories. For instance, directory <HTML> comprises HTML data, directory <GIF> comprises still image data, and directory <MPEG> comprises moving image data, etc, so that data can be accessed by calling the corresponding directory. (See col. 2, line 25 to col. 3, line 25; col. 8, lines 46-47 and figure 28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walker by accessing content recorded onto a recording medium by calling one of a plurality of directories, and more than one of the plurality of directories include additional HTML content as taught by Ozaki in order to easily read out the data of a large quantity such as moving image and easily access to HTML data from the medium inserted into the terminal.

Regarding claim 4, neither Walker nor Ozaki teaches that the directories contain JavaScript files. Official Notice is taken that language other than HTML script like Javascript is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Walker and Ozaki by using

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Javascript in order to provide a solution that can be automatically supported on a wide variety of standard web browsers already in use today by majority of end users.

Regarding claim 5, Walker as modified by Ozaki discloses the feature of the directories comply with ISO-9660 standards (see Ozaki: col. 2, lines 2, lines 25-28).

Regarding claims 6 and 68, the combined teaching of Walker and Ozaki includes the plurality of directories each contains a set of platform specific code segments (in data file or executable program, e.g., "index.hmt", "wwwview.exe" – see Ozaki: figure 28) where each set is usable by at least a different one of plurality of different client device platforms (e.g., PC), and the specific code segments comprise platform specific executable codes (e.g., in executable program "wwwview.exe") that override a standard network browser (see Ozaki: col. 17, lines 53-61).

Regarding claim 7, neither Walker nor Ozaki teaches that the directories support hybrid Windows/Macintosh discs, preserving resource forks for Macintosh operating systems. Official Notice is taken that providing DVD medium containing audiovisual content to be used at various systems such as Windows or Macintosh is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Walker and Ozaki by providing DVD medium containing audiovisual content to be utilized at various systems such as Windows or Macintosh in order to accommodate users having different systems.

Regarding claim 8, Walker as modified by Ozaki further teaches that additional HTML content is provided via a portable storage medium (e.g., CD-ROM) (see col. 2, lines 25-28).

Claims 57 and 59 recite the similar limitations of claim 2, therefore, claims 57 and 59 are rejected for the same reasons as addressed with respect to claim 2 above.

Claims 58 and 60 recite the similar limitations of claim 8, therefore, claim 58 is rejected for the same reasons as addressed with respect to claim 8 above.

11. Claims 17, 17, 20-23, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanazawa et al. (U.S. 6,580,870 B1) in view of Gupta et al. (US 20020059342 A1).

Regarding claim 17, Kanazawa teaches a method for enhancing multimedia content, comprising the steps of: providing a recording medium (e.g., DVD); recording multimedia content onto the recording medium (AV information and other information are stored on DVD – see col. 10, line 63 to col. 11, line 11); retrieving HTML content from a network (Internet) (col. 10, lines 59-61; col. 10, line 63 to col. 11, line 4; col. 11, lines 43-61; col. 15, lines 53-56); integrating HTML content with the multimedia content; accessing the multimedia content and the HTML content (col. 11, lines 13-16 and 55-61; col. 15, lines 34-45 and 57-61; col. 16, lines 15-41), and playing multimedia content and the HTML content having been accessed (col. 11, lines 48-61; col. 19, lines 32-45; figures 19A-B). Kanazawa does not explicitly disclose that the HTML content is in the form of textual content that scrolls in synchronization with the multimedia content as the media content is accessed. However, Gupta discloses that HTML page includes representation of text and graphical image of multimedia document. The displayed HTML contents of HTML page can change in a manner which is synchronized with video and audio playback of motion video content and audio content of multimedia document. See 0030. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kanazawa by including HTML content in the form of textual content that scrolls in synchronization with the multimedia content during playback as taught by Gupta in order to effectively provide the supplemental content in synchronization with the media content in an automatic manner.

Regarding claim 18, Kanazawa teaches that additional HTML content is provided via a

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portable storage medium (col. 11, lines 25-34; col. 11, lines 55-61; col. 12, lines 43-46; col. 16, lines 18-24).

Regarding claim 20, Kanazawa teaches that the multimedia content is DVD content accessed by DVD firmware on a client device and wherein the HTML content is provided from a remote server via a network (Internet) (col. 10, line 63 to col. 11, line 16; col. 11, lines 55-61).

Regarding claim 21, Kanazawa teaches that the multimedia content is DVD content; the HTML content is a textual script of the DVD content; and selection of a portion of the textual script navigates the multimedia content to a corresponding location in the multimedia content (col. 10, line 63 to col. 11, line 16; col. 20, lines 3-17).

Regarding claim 22, Kanazawa teaches that the multimedia content is DVD content and wherein accessing the multimedia content activates the HTML content, linking the user to a server providing HTML content corresponding to the multimedia content (col. 10, line 63 to col. 11, line 16; col. 11, lines 48-61).

Regarding claim 23, Kanazawa teaches that the multimedia content or DVD content and HTML content are displayed simultaneously on the screen (see col. 15, lines 34-37).

Regarding claim 55, Kanazawa teaches that the DVD playback control program will store the position and state of the DVD video presently being reproduced and go into the pause state. When the WWW browser is closed or when the user has specified the start of playback, or after a specific period of time has elapsed, the DVD playback control program restarts the playback of the DVD video (see col. 16, lines 25-38).

12. Claims 69-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US 6,263,505 B1) in view of Gupta et al. (US 20020059342 A1).

Walker does not explicitly teach the HTML content comprises textual presentations of at least a portion of the media content such that a selection of a textual representation of a

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corresponding scene in the HTML content causes the client device to playback the corresponding scene in the media content. However, Gupta discloses that HTML page includes textual representation of multimedia content. The displayed HTML contents of HTML page can change in a manner which is synchronized with video and audio playback of motion video content and audio content of multimedia document. See 0030. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walker by including HTML content comprises textual presentations of the media content and changing HTML content in a manner which is synchronized with media content during playback as taught by Gupta in order to effectively provide the supplemental content in synchronization with the media content in an automatic manner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NGOC K. VU
PRIMARY EXAMINER
Art Unit 2623

April 16, 2007